

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/16/05

A Bill

SENATE BILL 1013

5 By: Senators Madison, Bisbee, J. Taylor, Holt
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE IDENTITY OF THE ANNEXING
10 MUNICIPALITY WHEN AN UNINCORPORATED AREA IS
11 SURROUNDED BY TWO (2) OR MORE MUNICIPALITIES; AND
12 FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO CLARIFY THE IDENTITY OF THE
16 ANNEXING MUNICIPALITY WHEN AN
17 UNINCORPORATED AREA IS SURROUNDED BY TWO
18 (2) OR MORE MUNICIPALITIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-40-501 is amended to read as follows:
24 14-40-501. Authority - Exceptions.

25 (a)(1) Whenever the incorporated limits of a municipality have
26 completely surrounded an unincorporated area, the governing body of the
27 municipality may propose an ordinance calling for the annexation of the land
28 surrounded by the municipality.

29 (2) If the incorporated limits of two (2) or more municipalities
30 have completely surrounded an unincorporated area, the governing body of the
31 municipality with the greater distance of city limits adjoining the
32 unincorporated area's perimeter may propose an ordinance calling for the
33 annexation of the land surrounded by the municipalities, unless it is agreed
34 by the adjoining municipalities that another of the adjoining municipalities
35 should propose an ordinance calling for the annexation.

36 ~~(2)~~ (3) The ordinance will provide a legal description of the



1 land to be annexed and describe generally the services to be extended to the
2 area to be annexed.

3 (b)(1) The unincorporated area to be annexed shall comply with the
4 standards for lands qualifying for annexation which are set forth in § 14-40-
5 302.

6 (2) Privately owned lakes exceeding six (6) acres of water
7 surface which are used exclusively for recreational purposes and lands
8 adjacent thereto not exceeding twenty (20) acres in size which are used
9 exclusively for recreational purposes in relation to the lake shall not
10 qualify for annexation under the provisions of this subchapter.

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/s/ Madison